

AMENDED IN ASSEMBLY APRIL 29, 2008

AMENDED IN ASSEMBLY APRIL 7, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2913

**Introduced by Assembly Member Salas
(Coauthors: Assembly Members Bass and De Leon)**

February 22, 2008

An act to amend Section 79473 of the Water Code, relating to the Sacramento-San Joaquin Delta.

LEGISLATIVE COUNSEL'S DIGEST

AB 2913, as amended, Salas. Sacramento-San Joaquin Delta: strategic plan.

The California Bay-Delta Authority Act establishes the California Bay-Delta Authority in the Resources Agency. The act requires the authority and the implementing agencies to carry out programs, projects, and activities necessary to implement the Bay-Delta Program, defined to mean those actions that address the goals and objectives of the CALFED Bay-Delta Programmatic Record of Decision, dated August 28, 2000, or as it may be amended.

The act requires the Secretary of the Resources Agency, in collaboration with the Secretary of Business, Transportation and Housing, to develop a strategic plan that describes, characterizes, or defines a sustainably managed delta, including water supply uses, recommendations for institutional changes, including creating new institutions, necessary for achieving a sustainably managed delta, and a strategic financing plan, to achieve a sustainable Sacramento-San Joaquin Delta.

This bill would *require the secretary to develop the strategic plan to achieve a sustainable delta by emphasizing that the delta ecosystem and water supply are primary, coequal goals for the sustainable management of the delta. The bill would require the description, characterization, or definition of water supply uses in the plan to include an adequate and reliable water supply for the users of the State Water Resources Development System and the federal Central Valley Project, consistent with ecosystem health.* The bill would require the recommendations for institutional changes to give preference to modifying existing institutions, as determined to be necessary, *over the establishment of new institutions*, to accomplish the strategic plan ~~over the establishment of new institutions~~ and to seek to streamline regulatory requirements rather than ~~increasing~~ *increase* regulatory burdens. The bill would require ~~that the strategic plan to include a strategic~~ financing plan ~~include provisions for delta beneficiaries to pay their fair share for the benefits that they receive, and that, at a minimum, provides for the equitable distribution of project capital costs among beneficiaries, and for reliable sources of funding to provide for implementation of~~ *implement the strategic plan.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 79473 of the Water Code is amended to
- 2 read:
- 3 79473. The Secretary of ~~Resources~~ *the Resources Agency*, in
- 4 collaboration with the Secretary of Business, Transportation and
- 5 Housing, shall develop a strategic plan to achieve a sustainable
- 6 Sacramento-San Joaquin Delta *emphasizing that the delta*
- 7 *ecosystem and water supply for California are the primary, coequal*
- 8 *goals for sustainable management of the delta.* The plan shall
- 9 include all of the following:
- 10 (a) A description, characterization, or definition of a sustainably
- 11 managed delta, including the delta's multiple resources and uses
- 12 for each of the following:
- 13 (1) Ecosystem functions, including aquatic and terrestrial flora
- 14 and fauna.
- 15 (2) Land use and land use patterns.

1 (3) Transportation uses, including streets, roads and highways,
2 and waterborne transportation.

3 (4) Utility uses, including aqueducts, pipelines, and power
4 transmission corridors.

5 (5) Water supply uses, including, but not limited to, an adequate
6 and reliable water supply for the users of the State Water Resources
7 Development System and the *federal* Central Valley Project,
8 *consistent with ecosystem health*.

9 (6) Recreation uses, including current and future recreational
10 and tourism uses.

11 (7) Other aspects of sustainability determined to be desirable
12 by the Secretary of the Resources Agency or the Secretary of
13 Business, Transportation and Housing.

14 (b) Measurable goals and objectives for achieving a sustainably
15 managed delta.

16 (c) A list of necessary actions to achieve a sustainably managed
17 delta.

18 (d) Recommendations for institutional changes, including
19 creating new institutions, necessary for achieving a sustainably
20 managed delta. The recommendations shall give preference to
21 modifying existing institutions, as determined to be necessary, to
22 accomplish the strategic plan over the establishment of new
23 institutions, and shall seek to streamline regulatory requirements
24 rather than—~~increasing~~ *increase* regulatory burdens. The
25 recommendations may include a discussion of any of the following:

26 (1) Oversight authorities.

27 (2) Implementation authorities.

28 (3) Land use authorities.

29 (4) Conservancies for the purpose of carrying out ecosystem
30 restoration projects.

31 (5) Regulatory authorities.

32 (6) Governance structures used in other geographic areas.

33 ~~(e) A strategic financing plan, including provisions for delta~~
34 ~~beneficiaries to pay their fair share for the benefits that they~~
35 ~~receive, an equitable distribution of project capital costs, and~~
36 ~~reliable sources of funding to provide for implementation of the~~
37 ~~strategic plan.~~

38 *(e) A strategic financing plan that, at a minimum, provides for*
39 *the equitable distribution of project capital costs among*

1 *beneficiaries, and provides for reliable sources of funding to*
2 *implement the strategic plan.*

3 (f) Contingency plans addressing all of the following:

4 (1) Response plans for local impacts, such as a levee failure on
5 a single island.

6 (2) Response plans for widespread catastrophic losses, such as
7 losses that may occur as a result of a significant seismic event.

8 (3) Adaptive management.

9 (4) The likely impacts of global warming, climate change, and
10 sea-level rise.